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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,135	03/01/2000	SHAOWEI PAN	CE08144R	3917

22917 7590 10/19/2004

MOTOROLA, INC.
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SCHAUMBURG, IL 60196

EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/516,135

Applicant(s)

PAN ET AL.

Examiner

Tilahun B Gesesse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This is in response to applicant's argument filed July 15, 2004, in which claims 1-11 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6, applicant's recitation of the subject matter "a second plurality of uplink voice transmissions from the first plurality of uplink voice transmission" is not clear to how the second plurality of uplink voice transmission is determined.

Claim 9, applicant's recitation "outputting a second plurality of uplink transmissions taken from the first plurality of uplink transmission" is not clear to how a second plurality of uplink transmissions are taken from the first plurality of uplink transmission.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-3,5-7,9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rinchiuso et al "Rinchiuso" in view of Sharon et al "Sharon" (6,704,543).

As to claim 1,3 and 5, Rinchiuso discloses a method for transmission within a wireless communication system (100 of figure 1), the method comprising: receiving a plurality of uplink transmissions from a plurality of remote units (113-117)(column 2 lines 21-27, column 3, lines 20-25, column 7, lines 17-25 and figure 1), determining a plurality of remote units (column 3 lines 18-34, column 7, lines 20-25). Rinchiuso disclose a subset of the plurality of remote units wherein the subset determined based on energy of an uplink transmission of each remote from the plurality of remote units (the set of remote units that participate in a multicast session and set of remote units sending message to network for participation, see figure 6).

Rinchiuso does not specifically teach combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals, and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units. However, Sharon teaches combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals, and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units (column 14, lines 26-35 and figure 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine uplink signals for broadcasting a downlink signal using the combined uplink

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signals, as taught by Sharon, in order to reduce traffic load that consumes network resource.

As to claim 2, Rinchiuso discloses receiving the plurality of uplink transmissions from the plurality of remote units (113-117) comprises receiving a plurality of traffic channel transmissions from the plurality of remote units (column 3, lines 18-25).

As to claims 6 and 7, Rinchiuso discloses a wireless communication system (100 of figure 1), the method comprising: receiving a plurality of uplink transmissions from a plurality of remote units (column 2 lines 21-27, column 3, lines 20-25, column 7, lines 17-25 and figure 1), determining a plurality of remote units (column 3 lines 18-34, column 7, lines 20-25). Rinchiuso discloses the second uplink (the new remote units that are joining the multicast session, figure 6). Rinchiuso does not specifically disclose combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units. However, Sharon discloses combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units (column 14, lines 26-35 and figure 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine uplink signal and broadcast in downlink the combined uplink signals to the user,

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as taught by Sharon, in order to minimize traffic load and congestion the consumes the network resource.

As to claims 9-11, Rinchiuso discloses a wireless communication system (100 of figure 1), the method comprising: receiving a plurality of uplink transmissions from a plurality of remote units (column 2 lines 21-27, column 3, lines 20-25, column 7, lines 17-25 and figure 1), determining a plurality of remote units (column 3 lines 18-34, column 7, lines 20-25). Rinchiuso disclose the second uplink (the new remote units uplink to joining the multicast session, figure 6). Rinchiuso does not specifically disclose combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units. However, Sharon discloses combining uplink transmissions of the plurality of uplink transmissions to produce a combined signals and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units (column 14, lines 26-35 and figure 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine uplink signal and broadcast in downlink the combined uplink signals to the user, as taught by Sharon, in order to minimize traffic load and congestion the consumes the network resource.

Allowable Subject Matter

4. Claims 4 and 8, would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: decoding uplink transmissions to produce a plurality of decoded transmissions summing the plurality of decoded transmissions to produce a summed decoded transmission and encoding the summed decoded transmission.

Response to Arguments

5. Applicant's arguments with respect to claims 1-3,5-7,9-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rinchiuso et al (6,104,709) discloses plurality of remotes that wish to receive a multicast session monitor a multicast advertisement message on a system broadcast channel to determine a session to receive (abstract).

Heiskari et al (5,930,723) discloses establishing an extended group call in a mobile communication system (abstract).

Hsu et al (5,875,181) disclose uplink signals combine and transmit a combined downlink (claim 1).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

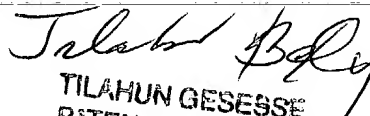
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tilahun Gesesse
Primary Examiner

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October 8, 2004


TILAHUN GESESSE
PATENT EXAMINER